

MANDATE

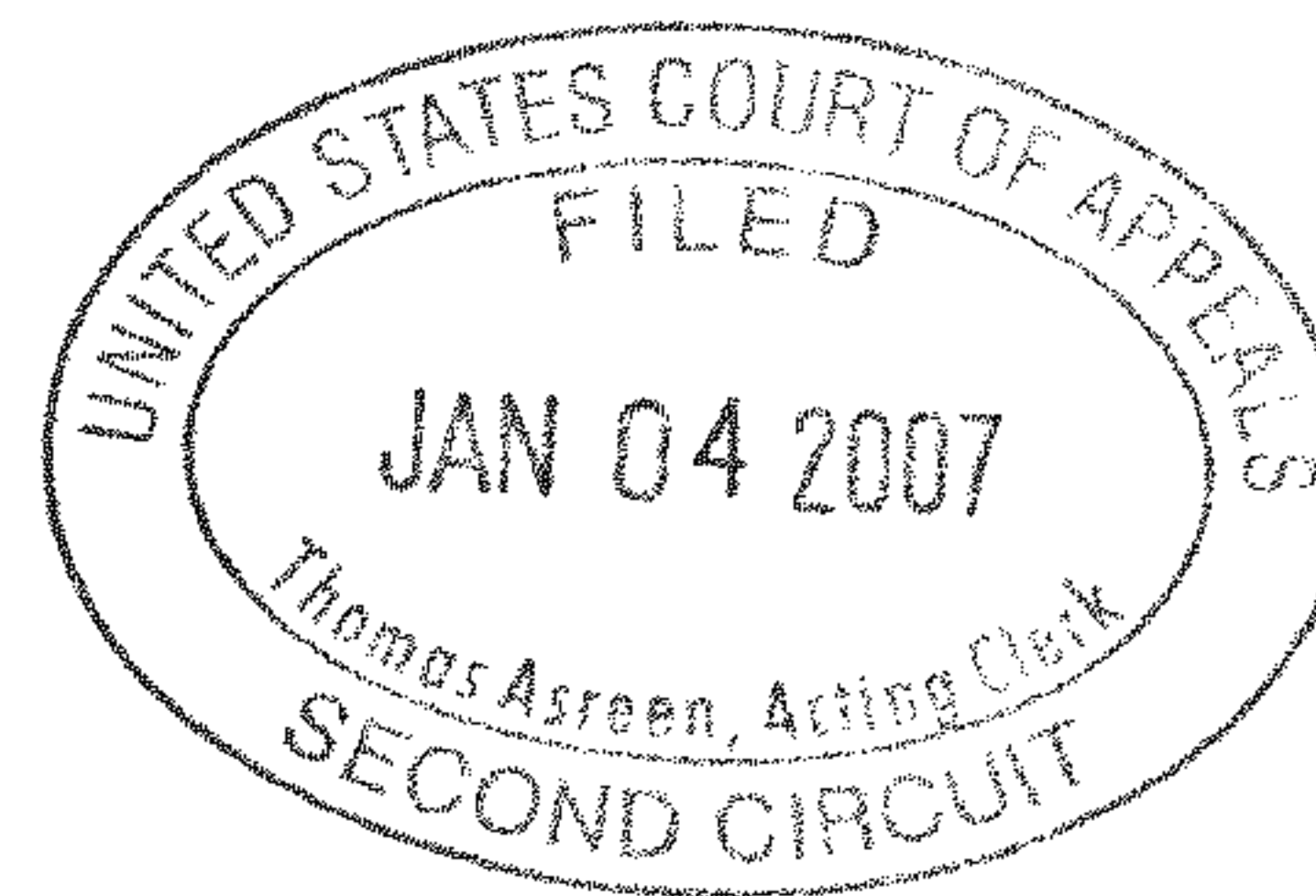
SDNY/NYNY
02-cv-4911
BAER

United States Court of Appeals
FOR THE
SECOND CIRCUIT

JUDGMENT

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 4th day of January, two thousand seven.

Before: Hon. Roger J. Miner,
Hon. Rosemary S. Pooler,
Circuit Judges
Hon. Jed S. Rakoff,
*District Judge**



Docket No. 05-2897-cv(L); 05-5766-cv(CON)

AMANDA MASTERS, on her own behalf and on behalf of a class of similarly situated persons, JUSTIN KLENTNER, on own behalf and on behalf of a class of similarly situated persons, LORELEI SHELLIST, on own behalf and on behalf of a class of similarly situated persons, BARBARA CHEESEBOROUGH, on own behalf and on behalf of similarly situated persons, CARLA GROSS, on own behalf and on behalf of a class of similarly situated persons, doing business as Sebastian Cardon, SIMON BEARDMORE, SZUZANNA BOROS, THOMAS BRADLEY, JENNIFER CURRAN, VALARIE GARDANO, BILL GOINS, ELEANORA MILLER, also known as Elle Miller, VIRGINIA NELSON, ALICIA PINE, ANNE ROGAN, ANGELA SHELTON, SHOEMAKER LAURA, TODD SNYDER, HILLARY SWAY and MONICA WALKER,

Plaintiffs,

CAROLYN FEARS, DONNA GIBBS, SHARON SIMON, CAROL MCILVAINE, also known as Carol Alston and TIFFANY CONNOR, on their own behalf and on behalf of a class of similarly situated persons,

Plaintiffs-Appellants,

BOIES, SCHILLER & FLEXNER LLP,

Appellant,

AMY HABERMAN, THOMAS PRESTON and EDMUND FLORY,

Consolidated-Plaintiffs,

v.

WILHELMINA MODEL AGENCY, INC., also known as Wilhelmina Artist Management LLC, FORD MODELS, INC., formerly known as Ford Model Agency, ELITE MODEL MANAGEMENT, INC., CLICK MODEL MANAGEMENT, INC., NEXT MANAGEMENT COMPANY, BOSS MODELS, INC., GERARD W. FORD, DNA MODEL MANAGEMENT, LLC., IMG MODELS, INC., ZOLI MANAGEMENT, INC. and IMAGES MANAGEMENT, INC.,

Defendants-Appellees,

* The Honorable Jed S. Rakoff, United States District Judge for the Southern District of New York, sitting by designation.

Issued as Mandate:

1/30/07

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THE MFME MANAGEMENT, LTD., Q MODEL MANAGEMENT, LLC. and MODEL MANAGEMENT CORPORATION,
formerly known as International Model Manager Association, Inc.,


Defendants.

Appeal from the United States District Court for the Southern District of New York.

This cause came on to be heard on the transcript of record from the United States District Court for the Southern District of New York and was argued by counsel.

On consideration whereof, IT IS HEREBY ORDERED, ADJUDGED, and DECREED that the judgment of said district court be and it hereby is AFFIRMED IN PART, VACATED AND REMANDED IN PART in accordance with the opinion of this court.

FOR THE COURT:
THOMAS ASREEN, Acting Clerk
by


Arthur M. Heller
Motions Staff Attorney

Deputy Clerk
A TRUE COPY
Thomas Asreen, Acting Clerk
by